

**MINUTES OF THE
CITY OF GREENSBORO
MINIMUM HOUSING STANDARDS COMMISSION
REGULAR MEETING
DECEMBER 10, 2015**

The regular meeting of the City of Greensboro Minimum Housing Standards Commission (MHSC) was held on Thursday, December 10, 2015 in the Council Chambers of the Melvin Municipal Office Building, commencing at 1:30 p.m. The following members were present: Ellen Sheridan, Chair; Robert Kollar; Tyler Quinn; Kimberly Moore-Dudley; Shermin Ata; Horace Sturdivant; and Carolyn Biggerstaff. Staff present included: Elizabeth Benton, Cheryl Lilly, Barbara Harris, Mark Wayman and Inspectors Don Sheffield, Rich Stovall, Jarod LaRue, Brad Tolbert, Roddy Covington, Donald Foster, and Roy McDougal. Also present was Terri Jones, Attorney for the Commission; Mary Lynn Anderson, City Attorney's Office; and Jennifer Schneier, Assistant City Attorney.

Chair Sheridan explained the rules and procedures of the Minimum Housing Standards Commission.

1. APPROVAL OF MINUTES FROM OCTOBER 8, 2015 MEETING:

Ms. Moore-Dudley moved approval of the October 8, 2015 meeting minutes as written, seconded by Ms. Ata. The Commission voted unanimously 7-0 in favor of the motion. (Ayes: Sheridan, Kollar, Quinn, Biggerstaff, Ata, Sturdivant, Moore-Dudley. Nays: None.)

2. APPROVAL OF CLOSED SESSION MINUTES FROM NOVEMBER 12, 2015 MEETING:

Ms. Moore-Dudley moved approval of the November 12, 2015 meeting minutes as written, seconded by Mr. Sturdivant. The Commission voted unanimously 7-0 in favor of the motion. (Ayes: Sheridan, Kollar, Quinn, Biggerstaff, Ata, Sturdivant, Moore-Dudley. Nays: None.)

3. REQUEST OF STAFF OF ANY CHANGES TO THE AGENDA:

Elizabeth Benton, Compliance Code Coordinator, noted the following changes in the agenda:

Item 6, 2223 Lynette Drive – Property has been repaired and is in compliance.

Item 7, 527 West Terrell Street – Property has been repaired and is in compliance.

Item 12, 1104 Lexington Avenue – The new owner of this property is Golden Wolfe, LLC.

4. SWEARING-IN OF CITY STAFF TO TESTIFY:

City staff was sworn as to their testimony in the following matters.

5. SWEARING-IN OF OWNERS, CITIZENS AND ALL OTHERS TO TESTIFY:

Property owners and citizens were sworn as to their testimony in the following matters.

CONTINUED CASES:

5. **3100 A-M Summit Avenue** (Parcel 0032354) Sophia and Basil Agapion, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Jarod LaRue. Continued from October 8, 2015 meeting. **(CONTINUED UNTIL FEBRUARY 11, 2016 MEETING)**

Irene Agapion, 625 South Elm Street, informed members that the first of two offers has fallen through due to contingencies that were not met. The backup offer has now become the primary offer. She has hired a new contractor group in order to be better neighbors to the people who live near these apartments. The new

group has concentrated mainly on the exterior of the units. The new potential buyer was at the property recently with Inspector LaRue and they were very pleased with progress that has been made on the outside of the buildings. Five of the units in the building were reinspected and have been finalled out. A full time crew is onsite all the time. They have hired a dump truck service once a week to check around the dumpster and they have also increased trash pick-up. They have applied to reorganize their debt on the property so they no longer have to wait for the process of a lender to move forward. There are four separate buyers that are ready and able to purchase the property once they are able to reorganize their debt. She requested a continuance until the March, 2016 meeting. She stated her goal to bring the property into compliance.

Inspector LaRue stated that he was at the property for purposes of the video on December 4, 2015. His concern is that the property be kept in a secure condition. He felt that substantial work has been done at the property.

Ms. Moore-Dudley moved to continue the case until the February 11, 2016 meeting, seconded by Mr. Quinn. The Commission voted unanimously 7-0 in favor of the motion. (Ayes: Sheridan, Ata, Kollar, Quinn, Biggerstaff, Sturdivant, Moore-Dudley. Nays: None.)

6. **826 West Terrell Street** (Parcel #008365) August Grundman, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. Continued from the August 13, 2015; September 10, 2015; and October 8, 2015 meetings. **(IN COMPLIANCE)**
7. **2223 Lynette Drive** (Parcel #0028527) Richard Spivey, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington. Continued from August 13, 2015; September 10, 2015; and October 8, 2015 meetings. **(IN COMPLIANCE)**
8. **527 West Terrell Street** (Parcel #0008238) Carland Development LLC, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. Continued from July 14, 2015; and September 10, 2015 meetings. **(CONTINUED UNTIL FEBRUARY 11, 2016 MEETING)**

Bryan Gribble, 6530 Harris Technology Boulevard, Charlotte, NC, was present on behalf of Carland Development. He explained that this property is part of a court appointed receivership that his firm was the receiver on. There is an offer to purchase on this property and they had to go to court to get approval for a private sale. The hearing was held and the request was approved. He expects the property to be closed at the end of next week. The property is being kept secure but they have not continued to correct violations in the meantime.

Scott Gardner, 10 East Brentwood Street, plans to purchase this property. He said that minimal work will be required and he estimated that repairs could be completed in 30 days after closing.

Ms. Moore-Dudley moved to continue the case until the February 11, 2016 meeting, seconded by Ms. Biggerstaff. The Commission voted 7-0 in favor of the motion. (Ayes: Sheridan, Ata, Moore-Dudley, Biggerstaff, Quinn, Sturdivant, Kollar. Nays: None.)

9. **1543 Lovett Street** (Parcel #0037813) Matthew Richard Durham, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. Continued from June 9, 2015 and July 14, 2015 meetings. **(CONTINUED UNTIL FEBRUARY 11, 2016 MEETING)**

Matthew Richard Durham, 8132 Mabe Marshall Road, Summerfield, North Carolina, stated that all repairs have been made with the exception of the heating system. Inspector McDougal commented that the heating system has been paid for and is awaiting installation.

Mr. Quinn moved to continue the case until the February 11, 2016 meeting, seconded by Ms. Ata. The Commission voted 7-0 in favor of the motion. (Ayes: Sheridan, Ata, Moore-Dudley, Biggerstaff, Quinn, Sturdivant, Kollar. Nays: None.)

- 10. 3503 Lewiston Road** (Parcel #0096167) Heirs of Roberta Morrison, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Continued from August 13, 2015 and October 10, 2015 meetings. Inspector Donald Foster. **(CONTINUED UNTIL MARCH 10, 2016 MEETING)**

Glen Morris, Greensboro, North Carolina, was present to represent Luther Gilmore who is his cousin. He explained that a wood burning stove has been ordered to heat the home. Although the stove will replace the fire place, ventilation is not an issue. The case started out with 36 violations and now only has 14 violations.

Inspector Foster stated that considerable progress has been made. The owner is doing as much as possible given his financial situation.

Ms. Moore-Dudley indicated that most of the violations seem minor. She would like to see violations taken care of within three months.

Ms. Moore-Dudley moved to continue the case until the March 10, 2016 meeting, seconded by Mr. Kollar. The Commission voted 7-0 in favor of the motion. (Ayes: Sheridan, Ata, Moore-Dudley, Biggerstaff, Quinn, Sturdivant, Kollar. Nays: None.)

- 11. 3515 Carrington Street** (Parcel #0026435) Charles and Joelle Kuhlman, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington. Continued from the October 8, 2016 meeting. **(CONTINUED UNTIL MARCH 10, 2016 MEETING)**

Charles Kuhlman, 4408 Millpoint Road, stated that progress is being made slowly but surely as finances allow. Work on the sheetrock will begin after the holidays. He hopes to be finished within 90 days.

Inspector Covington felt that the owner has great intentions about getting the property back into compliance but it is taking longer than expected to get the work done. Some work has been done but no violations have been completed since January, 2015. Permits have been taken out for this property.

Ms. Moore-Dudley indicated she was pleased to see that Mr. Kuhlman was in attendance and she asked him to continue to keep the Commission updated on work that is being done.

Mr. Kuhlman asked for a continuance of 90 days.

Mr. Quinn moved to continue this case until the March 10, 2016 meeting, seconded by Ms. Ata. The Commission voted 6-1 in favor of the motion. (Ayes: Sheridan, Ata, Moore-Dudley, Biggerstaff, Quinn, Kollar. Nays: Sturdivant.)

- 12. 1104 Lexington Avenue** (Parcel #0005787) M&S Properties, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington. Continued from October 8, 2015 meeting. **(CONTINUED UNTIL JANUARY 14, 2016 MEETING)**

Scott Gardner, 102 East Brentwood Road, stated his intention to repair the property. There are three units in the building. He estimated that it will take three months to complete repairs. A contractor has been hired and some work has already begun on the exterior of the property.

Ms. Sheridan moved to continue this case until the January 14, 2016 meeting, seconded by Mr. Quinn. The Commission voted 7-0 in favor of the motion. (Ayes: Sheridan, Moore-Dudley, Ata, Biggerstaff, Kollar, Sturdivant, Quinn. Nays: None.)

- 13. 311 Hazelwood Drive** (Parcel #0022177) Henry and Margaret Parker, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Rich Stovall. Continued from the October 8, 2015 meeting. **(CONTINUED UNTIL FEBRUARY 11, 2016 MEETING)**

Charlie Abdullah, 2715 South Elm-Eugene Street, asked for a continuance of 60 days to complete repairs on this property. He felt the repairs were not extensive. Responding to a question from Mr. Kollar, he said that there is a soft spot in the bathroom flooring that must be addressed but all the other rooms are fine.

Inspector Stovall commented that the property has been vacant for some time and there has been water damage. He felt that 60 days was an ambitious estimation for completion but it could be done.

Ms. Moore-Dudley moved to continue this case until the February 11, 2016 meeting, seconded by Mr. Quinn. The Commission voted 7-0 in favor of the motion. (Ayes: Sheridan, Moore-Dudley, Biggerstaff, Ata, Sturdivant, Quinn, Kollar. Nays: None.)

- 14. 1112 Lexington Avenue** (Parcel #0005791) Gilford Lee Fray, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. Continued from the September 10, 2015 meeting. **(CONTINUED UNTIL THE FEBRUARY 11, 2016 MEETING)**

Jim Keel, Housing and Services Division with the City of Greensboro, stated that they are in process of doing the write-up on this house. He asked for a continuance until the February meeting when a definite time line can be determined. Work on this property should take at least 90 days.

Mr. Kollar moved to continue this case until the February 11, 2016 meeting, seconded by Ms. Moore-Dudley. The Commission voted 7-0 in favor of the motion. (Ayes: Sheridan, Moore-Dudley, Biggerstaff, Ata, Quinn, Sturdivant, Kollar. Nays: None.)

- 15. 1205 West Florida Street** (Parcel #0008828) Fa-Fa Properties, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. Continued from September 10, 2015 meeting. **(CONTINUED UNTIL JANUARY 14, 2016 MEETING)**

Charlie Abdullah, 2715 South Elm-Eugene Street, purchased this property one month ago. He has started clearing the violations and has removed brush and debris from the outside of the property. Interior work includes painting, carpeting, and they are ready to do the flooring. He estimated it should take 30 days to bring the property into compliance.

Ms. Moore-Dudley moved to continue this case until the January 14, 2016 meeting, seconded by Ms. Ata. The Commission voted 7-0 in favor of the motion. (Ayes: Sheridan, Moore-Dudley, Biggerstaff, Ata, Quinn, Sturdivant, Kollar. Nays: None.)

- 16. 620 Martin Luther King, Jr. Drive** (Parcel #0001280) Jose D. Torres, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Brad Tolbert. Continued from September 10, 2015 meeting. **(INSPECTOR UPHELD)**

Compliance Coordinator Benton informed members that the owner notified her that he would be unable to attend the meeting.

Inspector Tolbert was at the property on December 3, 2015 to take the video. The only repair that has been made is partial painting on the exterior. No interior repairs have been made. No permits have been taken out on this property. An electrical, plumbing, and mechanical permit will be required. There have been no improvements made to the property.

Chair Sheridan moved to continue this case until the January 14, 2016 meeting, seconded by Ms. Ata.

Ms. Moore-Dudley noted that this is a big project and there has been no change in the property's condition. The owner was notified that permits were needed in May, 2015 and nothing has been done since then.

Mr. Kollar moved to uphold the Inspector in a substitute motion, seconded by Mr. Sturdivant. It was noted that a substitute motion must be voted on first. The Commission voted 4-3 in favor of the motion. (Ayes: Kollar, Moore-Dudley, Sturdivant, Quinn. Nays: Sheridan, Biggerstaff, Ata.)

Counsel Jones asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was inspected was December 3, 2015; this property is a not a duplex; and there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include guardrails and handrails are loose, damaged or improperly maintained; handrails required on one side of stairs having one or more risers; deck, porch and/or patio flooring is rotten or in disrepair; exterior wood surfaces need to be maintained by painting or other protective coating; exterior walls have loose or rotted material; roof drains, gutters and downspouts in disrepair; needs premises identification; exposed wiring at outlets; windows need glazing; screens required on windows; foundation wall has holes or cracks; foundation wall ventilation not maintained or missing IPMC; unsafe electrical wiring; duct system must be capable of performing required function; heating unit is missing; electrical equipment needs to be properly installed and maintained; power not on at time of inspection; unsafe electrical wiring; permit required for electrical work; missing smoke detectors; windows not readily accessible in case of emergency; water not on at time of inspection; permit needed for HVAC and plumbing work; structural member for wall unable to support imposed load, building permit required; rotten flooring must be repaired; ceiling contains holes, loose material and/or in disrepair; all exterior doors and door frames shall be kept in sound condition, good repair and be weathertight; windows are not functioning in the manner they are intended; windows are required to have an approved sash locking device; screens required on windows; screens on doors should be self-closing and latching; replace missing or damaged glass; all windows and window frames shall be kept in sound condition, good repair and be weathertight; bathroom requires ventilation system when window isn't provided; structural member of roof not able to support nominal load.

Chair Sheridan stated that the property involved in this matter is located at **620 Martin Luther King, Jr. Drive** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

17. **815 Pearson Street** (Parcel # 0002799) George Marple and Kelly Sigle, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington. Continued from June 10, 2014; August 12, 2014; January 13, 2015; July 14, 2015; August 13, 2015; and September 10, 2015 meetings. **(CONTINUED UNTIL FEBRUARY 11, 2016 MEETING)**

George Marple, 411 McAdoo Street, informed members that he has filed for Historic Landmark designation.

Mike Cowhig, Planning Department, was sworn as to his testimony in these matters. He explained that the designation allows for historic rehab tax credits and helps to defray some of the cost of renovation. The owner has made progress in terms of preparing for the project and has done a lot of research that can be used for the Landmark application.

Mr. Marple has hired a firm to remove the non-historic parts of the house to be able to proceed with the historic reconstruction process. Approval of the paperwork for designation will take approximately two months and the timeline for actual reconstruction will be four months to bring the property into compliance. The total restoration of the property must be completed within five years to be able to apply the tax credits.

Ms. Moore-Dudley moved to continue this case until the May 12, 2016 meeting, seconded by Mr. Kollar. The Commission voted 2-5 against the motion and the motion failed. (Ayes: Moore-Dudley, Kollar. Nays: Ata, Sturdivant, Sheridan, Quinn, Biggerstaff.)

Ms. Ata commented that she would like to see the progress being made in three months. Mr. Quinn was in agreement.

Ms. Ata moved to continue this case until the February 11, 2016 meeting, seconded by Mr. Sturdivant. The Commission voted 5-2 in favor of the motion. (Ayes: Ata, Sturdivant, Sheridan, Quinn, Biggerstaff. Nays: Kollar, Moore-Dudley.)

- 18. 3208 Martin Street** (Parcel #0043812) Sidney Branch, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. Continued from September 10, 2015 meeting.
(CONTINUED UNTIL FEBRUARY 11, 2016 MEETING)

Sidney Branch, 368 East 8th Street, New York, New York, is the new owner of this property. The property closed on July 30, 2015 with 47 violations. There are now less than nine violations left to be cleared. Inspector Covington made the last visit to the property and confirmed that the owner has almost completed the repairs. He estimated that it should take 30 days to bring the property into compliance.

Mr. Kollar moved to continue this case until the February 11, 2016 meeting, seconded by Ms. Moore-Dudley. The Commission voted 7-0 in favor of the motion. (Ayes: Sheridan, Ata, Sturdivant, Quinn, Biggerstaff, Kollar, Moore-Dudley. Nays: None.)

- 19. 1204 Bellevue Street** (Parcel #0003316) Thomas McFadden, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Brad Tolbert. Continued from September 10, 2015 meeting.
(CONTINUED UNTIL JANUARY 14, 2016 MEETING)

There was no one present to speak on this property. Inspector Tolbert indicated he was at the property on December 8, 2015 for purposes of the video. The owner was at the property and was made aware of this meeting. Inspector Tolbert reiterated the need for a mechanical permit to the owner and as of today, the permit has not been pulled. Most of the violations have been repaired; however, the work has been done without a permit. The remaining violations include installation of heating unit and downspouts need repair.

Ms. Moore-Dudley moved to continue this case until the January 14, 2016 meeting, seconded by Mr. Quinn. The Commission voted 6-1 in favor of the motion. (Ayes: Sheridan, Ata, Quinn, Biggerstaff, Kollar, Moore-Dudley. Nays: Sturdivant.)

Inspector Sheffield stated that a Stop Work Order will be issued tomorrow due to the lack of a permit.

- 20. 503 Craig Street** (Parcel #0008308) Jean Simrel, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. Continued from January 13, 2015; May 12, 2015; and September 10, 2015 meetings.
(CONTINUED UNTIL FEBRUARY 11, 2016 MEETING)

Jim Teel, Neighborhood Development with the City of Greensboro, stated that work started at this property on October 28, 2015. They are now in process of putting up the sheetrock. Everything has been installed in

the house but they are waiting on cabinets and finishes. All of the roughs are in and things are moving along quickly.

Mr. Kollar moved to continue this case until the February 11, 2016 meeting, seconded by Ms. Moore-Dudley. The Commission voted 7-0 in favor of the motion. (Ayes: Sheridan, Ata, Quinn, Biggerstaff, Kollar, Moore-Dudley, Sturdivant. Nays: None.)

- 21. 708 Haywood Street** (Parcel #0003544) Leroy Fields, Jr., Owner. In the Matter of Order to Repair, Alter or Improve Structure. Continued from December 9, 2014; February 10, 2015; April 4, 2015; June 9, 2015; July 14, 2015; and September 10, 2015 meetings.
(CONTINUED UNTIL FEBRUARY 11, 2016 MEETING)

Alicia Fields-Minkins, 5 Fleming Terrace Circle, stated that she has a contract for plumbing and permits have been pulled. She explained a problem they experienced with the previous plumber which slowed down their progress. She also has a contract for the HVAC system. The previous contractor has agreed to act as a free consultant to help move things along. There is still a lot of work to be done. She estimated the project should be completed in two months.

Inspector McDougal commented that the change in contractors has slowed down the progress. All the actual violations have not been corrected at this point and there is still much work to be done.

Ms. Moore-Dudley moved to continue the case until the February 11, 2016 meeting, seconded by Ms. Ata. The Commission voted 7-0 in favor of the motion. (Ayes: Sheridan, Ata, Quinn, Biggerstaff, Kollar, Moore-Dudley, Sturdivant. Nays: None.)

- 22. 910 Highland Avenue** (Parcel #0006019) Roberto Gusman Larios, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Continued from December 9, 2014; February 10, 2015; April 4, 2015; June 9, 2015; July 14, 2015; and September 10, 2015 meetings.
(CONTINUED UNTIL FEBRUARY 11, 2016 MEETING)

Roberto Guzman Larios, 3503 Tompkin Street, stated that this property was changed from single-family to a duplex.

Inspector McDougal said that Unit A of the duplex is almost finished; however, Unit B has many open violations. He estimated it would take several months to complete Unit B.

Ms. Moore-Dudley moved to continue this case until the February 11, 2016 meeting, seconded by Mr. Kollar. The Commission voted 7-0 in favor of the motion. (Ayes: Sheridan, Ata, Quinn, Biggerstaff, Kollar, Moore-Dudley, Sturdivant. Nays: None.)

NEW CASES:

- 23. 2110 Carpenter Street** (Parcel #0016305) Ricky and Barbara Willis, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington.
(CONTINUED UNTIL JANUARY 14, 2016 MEETING)

Inspector Covington was at the property on December 3, 2015 and advised the new owner about this meeting. He cleared six violations following his visit to the property. He has not heard back from the owner.

Compliance Coordinator Benton stated that this case was initially inspected on December 8, 2014. The hearing was held on June 23, 2015 and the Order was issued on the same day. The Order expired on July 23, 2015. There are children living in the area where the property is located but there is no school nearby. The City did not have to secure the property and there is no history of complaints to the police department.

Counsel Jones asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was December 3, 2015; this property is not a multifamily property; and there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include cracked or missing electrical outlet covers; cracked or missing switchplate covers; electrical equipment needs to be properly installed and maintained; exposed wiring at light fixture; power not on at time of inspection; unsafe electrical wiring; unclean and unsanitary floors, ceilings and/or walls; structural members of walls unable to support imposed load; all peeling, chipping, flaking or abraded paint shall be repaired, removed or covered; all cracked or loose plaster, decayed wood, or other defective surface conditions shall be repaired or replaced; loose floor covering must be repaired or replaced; roof not properly anchored; structural members of roof not able to support nominal load; structural members of roof rotten or deteriorated; heat-gas/electric not on at time of inspection; plumbing facilities must be maintained in a safe, sanitary and functional condition; water not on at time of inspection; all exterior surfaces shall be maintained in good condition and shall be protected from decay by means of paint or other protective covering; exterior walls shall be free of holes, breaks and loose or rotting materials; all exterior property and premises shall be maintained in a clean and sanitary condition; each dwelling unit shall contain a bathtub or shower, bathroom sink, toilet and separate kitchen sink.

Inspector Covington stated that the owner is working on the property and has plans to bring it into compliance. The new owner acquired the property in February, 2015. If they continue to work it should take no longer than 60 days to complete. The owner has repaired about seven major and minor repairs.

Code Compliance Benton said that the new owner called about this meeting and she explained the importance of attending. He did offer a reason for his inability to attend this meeting. The owner told her on December 1, 2015 that his intention was to complete the repairs within a week.

Ms. Moore-Dudley moved to continue this case to the January 14, 2015 meeting, seconded by Ms. Ata. The Commission voted 6-1 in favor of the motion. (Ayes: Sheridan, Moore-Dudley, Quinn, Sturdivant, Ata, Biggerstaff. Nays: Kollar.)

Mr. Kollar expressed his frustration that the owner did not attend the meeting. He asked staff to contact the owner to urge him to attend the January, 2016 meeting.

**24. 2202 Veasley Street (Parcel #0039786) Cynthia Cox Kabler, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Brad Tolbert.
(INSPECTOR UPHELD)**

Compliance Coordinator Benton stated that this case was initially inspected on December 5, 2014. The hearing was held on December 8, 2015 and the Order was issued on December 30, 2015. There are children living in the area where the property is located and there is a school nearby. The City did not have to secure the property and there is no history of complaints to the police department.

Counsel Jones asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was December 8, 2015; this property is not a multifamily property; and there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include rotten roof sheathing; structural member of roof rotten or deteriorated; exterior wood surfaces need to be maintained by painting or other protective coating; exterior walls have loose or rotted material; foundation wall has holes or cracks; roof drains, gutters and downspouts in disrepair; roof has leaks; heat-gas/electric not on at time of inspection; power not on at time of inspection; cracked or missing electrical outlet cover; cracked or missing

switchplate cover; missing smoke detectors; plumbing facilities must be maintained in a safe, sanitary and functional condition; water not on at time of inspection; unclean and unsanitary floors, ceilings and/or walls; all peeling, chipping, flaking or abraded paint shall be repaired, removed or covered; ceiling contains holes, loose material and/or in disrepair; all exterior doors and door frames shall be kept in sound condition, good repair and be weathertight; screens required on doors; screens required on windows; screens on doors should be self-closing and latching; all windows shall be easily operable and capable of being held in position by windows hardware; replace missing or damaged glass; all accessory structures, including detached garages fences and walls shall be maintained structurally sound and in good repair.

Inspector Tolbert was at the property on December 8, 2015 for purposes of the video when a neighbor informed him that the owner had a series of strokes. The owner inherited the house over 20 years ago and it is unknown when the house was last occupied. The house has been secured.

Ms. Moore-Dudley moved to uphold the Inspector, seconded by Mr. Quinn. The Commission voted 7-0 in favor of the motion. (Ayes: Sheridan, Moore-Dudley, Quinn, Ata, Kollar, Sturdivant, Biggerstaff. Nays: None.)

Chair Sheridan stated that the property involved in this matter is located at **2202 Veasley Street Drive** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

25. 112 Arcaro Drive (Parcel #0091790) Ashley Hill, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Jarod LaRue.
(CONTINUED UNTIL JANUARY 14, 2016 MEETING)

Compliance Coordinator Benton stated that this case was initially inspected on May 11, 2015. The hearing was held on August 18, 2015 and the Order was issued on the same day. There are children living in the area where the property is located but there is no school nearby. The City did not have to secure the property and there is no history of complaints to the police department.

Counsel Jones asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was December 7, 2015; this property is not a multifamily property; and there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include fire extinguisher needs servicing; plumbing fixture leaks; unclean and unsanitary floors, ceilings and/or walls; handrails are loose damaged or improperly maintained; interior doors difficult to operate; duct system must be capable of performing required function; all exterior doors and door frames shall be kept in sound condition, good repair and be weathertight; all peeling, chipping, flaking or abraded paint shall be repaired, removed or covered; electrical equipment needs to be properly installed and maintained; all cracked or loose plaster, decayed wood or other defective surface conditions shall be repaired or replaced; missing smoke detectors; carbon monoxide detector required; roof covering and flashing shall be sound and have no defects that would admit rain to penetrate; roof drains, gutters and downspouts, if provided, shall be maintained in good repair and free of obstruction; water not on at time of inspection.

Inspector LaRue stated that the tenants have been evicted from the property. He was unsure if damage to the dwelling was a result from the beginning of repair work or from the evicted tenants. There are missing fixtures. The property has been secured.

Mr. Sturdivant moved to uphold the Inspector, seconded by Mr. Quinn.

Ms. Moore-Dudley commented the repairs that need to be done are not substantial. There was a tenant in the property until October of this year. The owner has not had a lot of time to make repairs and she felt the owner should be given additional time. This property would be good affordable housing for someone in the area.

Mr. Sturdivant withdrew his previous motion to uphold the Inspector.

Ms. Moore-Dudley moved to continue the case until the January 14, 2015 meeting, seconded by Mr. Kollar. The Commission voted 7-0 in favor of the motion. (Ayes: Sheridan, Moore-Dudley, Quinn, Ata, Kollar, Sturdivant, Biggerstaff. Nays: None.)

26. 1700 Fairview Street (Parcel #0027498) Printworks Properties, LLC, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Don Sheffield.
(CONTINUED UNTIL FEBRUARY 11, 2016 MEETING)

Compliance Coordinator Benton stated that this case is being brought to the Commission as a commercial property. It was initially inspected on January 7, 2015. The hearing was held on June 1, 2015 and the Order was issued on the same day. There has been a problem with repeat calls to the police department.

Counsel Jones asked Inspector Sheffield if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; and the last time the property was inspected was December 4, 2015. He agreed with these questions. He explained that the violations in this case include a complaint for vagrancy and a fire has deemed this building too unsafe to go into.

James Peeples, 1844 North Elm Street, was representing Printwork Properties, the sellers of the property. He is also a team member for the new buyers and developer of the property called Lofts at Printworks, LLC. They intend to develop the property into 320 fair market value residential apartments. The property was placed on the National Register in December of last year. He gave a brief overview of the history of the property. The property is scheduled to close between January 1 and January 15, 2016. The builder, architect, attorney, and accountant have all been engaged with this project. The plan development stage will take between 12 to 18 months to complete. The property has already been rezoned to RM-18. The Planning Department is in possession of the initial footprint of the project. He expects to have a better idea of the timeline in 60 days.

Ms. Moore-Dudley moved to continue this case until the February 11, 2016 meeting, seconded by Mr. Sturdivant. The Commission voted 7-0 in favor of the motion. (Ayes: Sheridan, Moore-Dudley, Quinn, Ata, Kollar, Sturdivant, Biggerstaff. Nays: None.)

A brief recess was taken from 3:55 until 4:05 p.m.

Mr. Sturdivant left the meeting at 4:00 p.m.

SPECIAL REHEARING:

27. 814 Lexington Avenue (Parcel #0005890) Bulent Bediz, Owner. In the Matter of Order to Repair, Alter, Improve Structure. Inspector Roy McDougal.
(INSPECTOR UPHELD)

Norman Smith, Attorney, was present to represent Bulent Bediz. Jennifer Schneier, Attorney, was representing the City of Greensboro.

Chair Sheridan explained that Ms. Schneier will present the City's case by calling witnesses and Mr. Smith will have the opportunity to cross-examine those witnesses. Mr. Smith will then present the property owner's case by calling witnesses and Ms. Schneier will have the opportunity to cross-examine those witnesses. If any members of the public wish to present testimony, those persons will be given the opportunity to do so. Either attorney may cross-examine members of the public who choose to testify.

Mr. Bediz was sworn as to his testimony in these matters.

Ms. Schneier called Beth Benton, Compliance Coordinator, as the first witness. Responding to questions from Ms. Schneier, Compliance Coordinator Benton stated that the video that was to be shown was a fair and accurate representation of the property; all parties in interest were properly served with all notices, complaints and orders issued in this matter; the first time the property was inspected was August 25, 2014; the Inspector's hearing occurred September 16, 2014; the property owner did not attend the hearing; the property owner was served with the complaint and notice of violations through certified mail or first class mail; the property was last inspected on December 7, 2015; this property is not a duplex or multifamily property; the property has not been secured; there are children in the area; there is no school in the area; there is not a history of police complaints for this property; and there are more than five separate types of violations of any of the minimum housing standard codes.

Compliance Coordinator Benton stated that the list of violations include cracked and missing electrical outlet and switch covers; electrical equipment needs to be properly installed and maintained; power not on at time of initial inspection; unsafe electrical wiring; carbon monoxide detector required; dryer exhaust needs to be vented directly to the exterior; HVAC duct system needs to be capable of performing its required function; missing smoke detectors; unclean/unsanitary floors, ceilings and/or walls; there is cracked or loose plaster, decayed wood or other defective material; rotten flooring must be repaired; any equipment provided by owner must be in working condition; exterior doors need to be weathertight; windows do not open or close as manufactured; windows need glazing; electrical equipment needs to be properly installed and maintained; window has locks that are either missing or in disrepair; roof leaks; ceiling contains holes, has rotten wood or are in disrepair; utilities for heat, gas or electric, were not on at time of inspection; every dwelling unit needs to contain a bathtub, bathroom sink, commode, or separate kitchen sink; plumbing facilities need to be maintained in a safe and sanitary condition; water not on at time of initial inspection; water heater not properly installed and maintained; exterior doors difficult to operate; exterior wood surfaces need to be maintained with paint or other protective coating; foundation walls have holes or cracks; gutters and downspouts are in disrepair; interior porch ceiling contains holes or is in disrepair; and porch floor is rotten or in disrepair.

Inspectors Donald Foster and Roy McDougal narrated the video taken of the property that was shown to the Commission.

Mr. Smith cross-examined Compliance Coordinator Benton and clarified that the violations that were read into the record were based on the initial inspection that was done on August 25, 2014. The search warrant issued for the December 7, 2015 visit was entered into the record. Inspector McDougal secured the warrant based on the fact the case was appealed. Ms. Benton concurred that the painting of the porch ceiling was noted as a repair. She agreed that there were more than five uncorrected exterior violations at the time the search warrant was applied for. These violations were an exterior door that was difficult to operate, exterior wood surfaces needed to be maintained with paint or other protective coating, foundation door not on its hinges, roof was leaking as noted from front porch damage, gutters and downspouts are still in disrepair, and front porch floorboards are buckling. At the request of Mr. Smith, she cited the International Property Maintenance Code to show that these items are violations of the code.

Chair Sheridan commented that in reference to exterior violations, she saw in the video that there were visibly broken windows, perhaps a missing window, the downspout was missing, and water was being discharged directly into the house and the foundation of the house.

Ms. Schneier called Inspector Don Sheffield as a witness. In looking at the video he stated that a permit was required for the repair made to the foundation. There are no permits on this site. Chair Sheridan stated that permits are required by the City for trade work. From watching the video and reading the Inspector's report, Inspector Sheffield said that the following violations would need permits in order to correct them: (1) foundation repairs, (2) replacement of plumbing pipes or fixtures, and (3) installation of a fan in bathroom.

Mr. Smith called Mr. Bediz for his testimony. Mr. Bediz stated that he has performed several exterior repairs since the inspection last year. He explained that repairs were made to the curtain wall which is not a structural repair. He painted the ceiling of the porch and said that the roof leak in the front of the house had been repaired. In addition, he said that in his previous construction experience a house with eaves, such as this house, does not have to have gutters and downspouts.

Mr. Bediz stated that currently there are 12 outstanding demolition orders on his properties, three have already been demolished, and there are others in pursuit. Responding to Mr. Bediz's comment that the City's actions are capricious, Chair Sheridan asked him to cite specific examples of where the City has selectively enforced housing codes against Mr. Bediz. Mr. Bediz related an instance involving a fallen tree when he felt the City reacted too quickly against him.

Because of Mr. Bediz's recent case, Ms. Schneier stated that she was prepared to discuss individual addresses to show there is not any selective enforcement by the City and that the City has enforced actions against the Capital Facilities Foundation (CFF) group as well. Mr. Bediz pointed out that there are 24 CFF properties that they have owned for five years that are slated for demolition. No repairs have been done to these properties in the five years they were owned by CFF. Mr. Bediz said the exterior of these properties are in terrible condition and records show there have been no inspections in the last five years. Ms. Moore-Dudley pointed out that UNC-G is taking it upon themselves to demolish or move these properties. UNC-G has presented a plan to demolish or move these properties to the City of Greensboro; however, it is unclear what Mr. Bediz's plan is for 814 Lexington Avenue. Mr. Bediz said it was his intent to rehabilitate this property and he described the scope of his plan. He described the concept of an agreement with the City in 2006 that if his vacant properties were in good repair and secure on the exterior, everything was fine. Ms. Schneier stated that the agreement has expired and members have seen a copy of the expired agreement.

Following a discussion about the Glenwood neighborhood and properties owned by Mr. Bediz, Ms. Moore-Dudley said that while Mr. Bediz's intentions are good, vacant houses in violation of the City's housing code is not neighborhood restoration. The University has presented the City with a plan for demolition of their properties but Mr. Bediz has not presented a plan for his properties to the Commission. Mr. Bediz felt that the Glenwood neighborhood would benefit greatly if an additional City funding program could be established to help citizens with restorations. He has a plan but the bottom line is money. Members noted that there are already programs in place to help fund restorations.

Mr. Kollar said that although the Commission sympathizes with Mr. Bediz for his problems with the University, he should focus on a plan for this property because other matters are outside the purview of the Commission. Mr. Bediz's frustration and attempts to change the way things are should be pointed toward City Council. The Commission is not a policy making body.

For the record, Terri Jones, City Attorney, stated that Mr. Bediz has attempted to introduce eight exhibits on several pages. To lay a foundation, she asked that the pages be shown on the projector. Mr. Bediz identified the photographs being shown as properties owned by CFF and he pointed out their state of disrepair. He is entering these exhibits because he believes he is being selectively prosecuted by the City. For the record, Ms. Moore-Dudley noted the list of properties currently being demolished by CFF as per their plan with the City.

Ms. Schneier pointed out that this system is primarily complaint driven and there is a petition on the subject property that is currently valid. The City is acting on that petition.

Ms. Schneier reiterated that a list of CFF-owned homes that are already being demolished has been noted along with references to ongoing active cases leading to her statement that there is no selective enforcement by the City toward Mr. Bediz.

Chair Sheridan described the Commission's mission and reiterated that Mr. Bediz needs to come up with a timeline and plan to deal with the subject property. The condition of 814 Lexington Avenue needs to be addressed today.

Ms. Schneier cross-examined Mr. Bediz and asked if he agreed this was a complaint driven process and there is a valid complaint against his house at 814 Lexington Avenue. Mr. Bediz replied in the affirmative. She offered a document into the record, compiled by Compliance Coordinator Benton, to address Mr. Bediz's concern of selective enforcement. The document contained a list of properties showing 53 cases of active enforcement by the City.

Responding to questions from Ms. Schneier, Mr. Bediz agreed that he has large eaves on his house but he does have downspouts that have not been repaired. She pointed out that there are downspouts that have not been repaired as required by code. There are more than five exterior violations allowing the Inspector to inspect the house. Mr. Bediz questioned procedure and commented that if there were five exterior violations, he should have been notified before the warrant was issued for the Inspector to go inside the house. Ms. Schneier stated that the valid petition on the property allowed the City to inspect the property.

Ms. Schneier and Mr. Smith waived closing arguments to allow the Commission to render their decision.

Ms. Ata asked Mr. Bediz if he had the funds necessary to complete repairs on this property. He said that if the property is safe, secure, attractive from the street, and is not occupied then it should not matter if the kitchen is taken out for renovation. Ms. Ata stated that it does matter because the property cannot stay unoccupied. She felt the basic question was regarding funding to make the repairs.

Mr. Quinn said he did not see any sort of plan in place to bring the property into compliance. He felt the matter was straight-forward regarding how the Commission consistently treats these kinds of cases. Rules cannot be bent for individuals regardless of any external factors. He was inclined to uphold the Inspector.

Ms. Moore-Dudley said that in this case and any other case, the City has no obligation to finance repairs for any properties. Chair Sheridan pointed out that there are mechanisms by which properties can be renovated. In the considerable length of time this case has been before the Commission, nothing has happened to make it possible for someone to live in this house.

Ms. Moore-Dudley moved to uphold the Inspector, seconded by Mr. Quinn. The Commission voted 7-0 in favor of the motion. (Ayes: Sheridan, Moore-Dudley, Quinn, Kollar, Biggerstaff, Ata, Sturdivant. Nays: None.) Mr. Sturdivant left the meeting unexcused at 4:00 p.m. and therefore, his vote counts in the affirmative.

OWNER APPEAL REQUEST:

- 28. 1012 Haywood Street** (Parcel #0005920) Bulent Bediz, Owner. Appealing Inspector Roy McDougal's Order to Repair, Alter, or Improve Structure issued on November 17, 2015.
(POSTPONED UNTIL JANUARY 14, 2016 MHSC MEETING)

Mr. Quinn moved to postpone Item 28, 1012 Haywood Street, until the January 14, 2016 meeting, seconded by Ms. Biggerstaff. The Commission voted 7-0 in favor of the motion. (Ayes: Sheridan, Moore-Dudley, Kollar, Quinn, Ata, Biggerstaff, Sturdivant. Nays: None.) Mr. Sturdivant left the meeting unexcused at 4:00 p.m. and therefore, his vote counts in the affirmative.

REQUEST TO RESCIND PRIOR COMMISSION RESOLUTION FOR DEMOLITION CASES:

29. 700 English Street (Parcel #0020006) Josephine S. Garza, *new owner*, **Demo by Owner. (RESCINDED)**

Ms. Moore-Dudley moved to rescind 700 English Street, seconded by Mr. Kollar. The Commission voted 7-0 in favor of the motion. (Ayes: Sheridan, Moore-Dudley, Kollar, Quinn, Ata, Biggerstaff, Sturdivant. Nays: None.) Mr. Sturdivant left the meeting unexcused at 4:00 p.m. and therefore, his vote counts in the affirmative.

30. 2106 West Florida Street (Parcel #0015550) People 1st Realty, LLC, *new owner*, **Repaired by Owner. (RESCINDED)**

Ms. Moore-Dudley moved to rescind 2106 West Florida Street, seconded by Mr. Kollar. The Commission voted 7-0 in favor of the motion. (Ayes: Sheridan, Moore-Dudley, Kollar, Quinn, Ata, Biggerstaff, Sturdivant. Nays: None.) Mr. Sturdivant left the meeting unexcused at 4:00 p.m. and therefore, his vote counts in the affirmative.

31. 1501 Randolph Avenue (Parcel #0007971) Walter L. Brown, *new owner*, **Repaired by Owner. (RESCINDED)**

Ms. Moore-Dudley moved to rescind 1501 Randolph Avenue, seconded by Mr. Kollar. The Commission voted 7-0 in favor of the motion. (Ayes: Sheridan, Moore-Dudley, Kollar, Quinn, Ata, Biggerstaff, Sturdivant. Nays: None.) Mr. Sturdivant left the meeting unexcused at 4:00 p.m. and therefore, his vote counts in the affirmative.

32. 1103 South Aycock Street (Parcel #0008964) Celestine Ntuen, *new owner*, **Demo by Owner. (RESCINDED)**

Ms. Moore-Dudley moved to rescind 1103 South Aycock Street, seconded by Mr. Kollar. The Commission voted 7-0 in favor of the motion. (Ayes: Sheridan, Moore-Dudley, Kollar, Quinn, Ata, Biggerstaff, Sturdivant. Nays: None.) Mr. Sturdivant left the meeting unexcused at 4:00 p.m. and therefore, his vote counts in the affirmative.

ADJOURNMENT:

There being no further business before the Group, the meeting adjourned at 6:15 p.m.

Respectfully submitted,

Ellen Sheridan
Chair, City of Greensboro Minimum Housing Standards Commission

ES: sm/jd